

REMARKS/ARGUMENTS

Claim Amendments

The Applicant has amended claims 1-3, 5, 14 and 15. Applicant respectfully submits no new matter has been added. Accordingly, claims 1-17 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

Claim Rejections – 35 U.S.C. § 103 (a)

Claims 1-10 and 12-17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicant's Admitted Prior Art (Fig. 3, "Description of Prior Art") in view of Satoh et al., (U.S. 4,578,797), hereinafter Satoh. The Applicant respectfully traverses the rejection of these claims.

The Examiner has cited Satoh without a relevant column and line number to which the Applicant may refer for guidance regarding the line of reasoning used to reject the Applicant's claims. In the absence of a specific citation, the Applicant will consider the general teachings of Satoh in constructing the Applicant's argument.

The Satoh reference discloses a device for coupling a digital signal between two asynchronous paths. To illustrate the problem that Satoh's invention solves, Satoh uses the example of decoding a digital signal (PCM) into an analog signal by a decoder and then the analog signal is encoded. Satoh eliminates a need for a decoder/encoder by substituting an asynchronous connecting device that allows for overlapping or loss of data words that is acceptable and the analog data can be reproduced at a receiver with high quality (Abstract).

As previously described, the Applicant's invention discloses and claims an apparatus for dynamically removing, during a connection, transcoding units allocated in a data path (encoder/decoder pairs) if a switching (MSC) controller is detected transparently through-connecting data (page 14, line 10 – page 15, line 10). When a transparent connection is established, the allocated TRAU and/or the allocated TCME unit can be eliminated/removed from the data path of the connection (page 18, lines 20-27). The through-connection action is detected when source and destination TFO-

TRAU's are using the same codec type in a back-to-back configuration. When the switching controller is transparently through-connecting data, there is no need for the particular encoder/decoder function and the transcoder unit may be removed from between the source encoder and destination decoder (Fig. 2A, page 15, line 23 – page 15, line 14).

The Applicant respectfully directs the Examiner's attention to Currently Amended claim 1.

1. (Currently Amended) An apparatus for use in a switching network of a telecommunication system, said apparatus including:

a plurality of transcoding units (TRAU) for encoding and decoding data, including speech data, wherein said plurality of transcoding units are for operating in tandem-free operation (TFO) mode;

switching means adapted to switch data, including speech data, through said plurality of transcoding units, and

a transcoder controller for controlling said switching means and said plurality of transcoding units, wherein said transcoder controller is adapted for:

instructing said switching means to insert one of said plurality of transcoding units into a data path associated with a connection between a mobile terminal of said telecommunication system and said switching network, and

determining that a switching controller associated with the switching means is transparently through-connecting the data, wherein said transcoder controller is adapted to instruct, during said connection, said switching means to remove said one of said plurality of transcoding units from said data path. (emphasis added)

The Applicant respectfully asserts that the AAPA and Satoh, individually or in combination fails to disclose at least the emphasized limitation, that of removing a transcoder from a data path during a connection.

The AAPA is cited for the transcoder controller being adapted to instruct, during the connection, the switching means to eliminate a specific transcoding unit. The Applicant has reviewed the cited portion of the AAPA and respectfully disagrees with the characterization of that portion. There is no indication of a transcoder controller in the cited portion or a determination of transparently through connecting the data in order

to trigger removal of a transcoding unit from the data path. There is however, a description of TFO-TRAU advantages and shortcomings.

Even though the Applicant doesn't agree with the characterization, for clarity's sake, the Applicant has amended the claims to more clearly distinguish the emphasized limitations from the AAPA and respectfully submits that removing a transcoding unit from a data path during a live connection is not disclosed in the AAPA.

As noted above, there is no specific reference to pertinent material in Satoh, but Satoh is cited for eliminating a codec from a system of asynchronously connected transmission paths. The Applicant respectfully submits that Satoh discloses a system without an encoder/decoder whereas the Applicant discloses a system utilizing a transcoder controller to remove transcoder units on command; not permanently eliminate them. The earlier version of the Applicant's subject claim was poorly worded and has been amended by the Applicant so that instead of eliminating (permanently as in Satoh) the transcoding unit, the term "remove" replaces the term "eliminating" to indicate a non-permanent removal from the data path. This procedure is accomplished during the connection as opposed to the Satoh reference that provides a system without a codec. Thus, neither Satoh nor the AAPA teaches, suggests or discloses removing (non-permanently) a transcoding unit from a datapath during a connection.

Amended claim 14 is analogous to claim 1 and contains similar limitations. The Applicant respectfully submits that these claims, and the respective dependent claims, 2-13 and 15-17, are distinguished from the AAPA and the Satoh reference because of the absence of at least the emphasized limitations. This being the case, the Applicant respectfully requests that the rejection of these claims be withdrawn.

Claim 11 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicant's Admitted Prior Art in view of Satoh and further in view of Yoon U.S. (6,842,508).

The Yoon reference is cited for teaching information including port address information being received from a switching controller. Yoon appears to disclose a voice mail system with a voice and signal processing section that includes a vocoder, a

control section and a communication control section. However, claim 11 depends indirectly from claim 1 and thus contains the previously discussed limitations therein. The AAPA, the Satoh reference and the Yoon references fail to suggest, teach or disclose removing a transcoding unit from a data path during a connection. The Applicant respectfully requests withdrawal of the rejection of this claim.

Prior Art Not Relied Upon

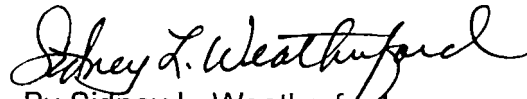
In paragraph 4 on page 11 of the Office Action, the Examiner stated that the prior art made of record and not relied upon is considered pertinent to the Applicant's disclosure.

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,

A handwritten signature in cursive script, reading "Sidney L. Weatherford".

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